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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/687,074

10/16/2003

Carsten Heuer

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7590

07/14/2008

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C.

ATTN: PATENT INTAKE CUSTOMER NO. 64280

ONE FINANCIAL CENTER

BOSTON, MA 02111

EXAMINER

AL HASHEMI, SANA A

ART UNIT

PAPER NUMBER

2164

MAIL DATE

DELIVERY MODE

07/14/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/687,074

Applicant(s)

HEUER ET AL.

Examiner

Sana Al-Hashemi

Art Unit

2164

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 15-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 15-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is issued in response to amendment filed 4/25/08.

Claims 1-10 and 15-23 are pending.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 22 depend from claim 1 and it should not be tied in any way to other claim such as claim 23 which is even comes after the claim objected to.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 2, and 22, rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter “different visual configuration” which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. It is unclear to the examiner on what kind of different visual configuration since the disclosure of the application does not define the visual configuration in the first place and does not mention anything about different visual configurations. Clarification is required.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding Claim 22, the cited limitations "so that a different query (or drill down query in claim 23) or different visual configuration. Is indefinite the options between the listed different query or drill down query or different visual configuration. it is unclear to the examiner what is been claimed clearly in this limitation. Correction is required.

Art will not be applied at this point to claim 22, this is not an indication of allowability, it is only for lack of understanding and improper dependency.

The terms "can be, to be capable of, and may be" in claims 1-23 is a relative term which renders the claim indefinite. The terms " can be, to be capable of, and may be ". the limitations show the capability of performing the step and the actual performance therefore it is indefinite. Clarification is required.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Regarding Claims 1, 15, 18, and 21, Banker discloses a method of facilitating searches in a data repository, the method comprising:

displaying a control in a computer user interface (Fig. 1, 400A, Banker), the control presenting a plurality of selectable, predetermined search options that a user can select for execution, each search option specifying and displaying in the control both an associated

predetermined query to be performed on a data repository and an associated predetermined visual configuration for displaying a result of the predetermined query (Fig. 1, 422, 418, Banker);

receiving input from the user when the user selects one of the plurality of predetermined search options presented by the computer user interface control (Fig. 4, 400A, Banker);

performing the predetermined data repository query associated with the selected predetermined search option and displaying the result of the predetermined query using the predetermined visual configuration associated with the selected search option (Paragraph 705, Banker).

Regarding Claims 2, Banker discloses a method wherein at least two of the predetermined search options specify a common predetermined query and different predetermined visual configurations (Fig. 4, 426, Banker).

Regarding Claim 3, Banker discloses a method wherein at least two of the predetermined search options that specify a common predetermined visual configuration specify different predetermined queries (Fig. 4, 422, Banker).

Regarding Claim 4, Banker discloses a method wherein the data repository comprises data that can be associated into any of a plurality of key figures, and wherein the predetermined query specifies a key figure to be determined from the repository data (Fig. 4, 422, Banker).

Regarding Claim 5, Banker discloses a method wherein the repository data associated with the specified key figure can be organized according to a plurality of characteristics, and wherein the predetermined query specifies that the key figure data be organized according to at least one of the characteristics (Fig. 7, 706B, Banker).

Regarding Claim 6, Banker discloses a method wherein the predetermined query specifies at least two key figures to be determined from the repository data (Fig. 7, 714, Banker).

Regarding Claim 7, Banker discloses a method wherein the data repository includes a result of a previously executed data repository query, and wherein the predetermined query selected by the user is specified to be performed on the result (Fig. 7, 710, Banker).

Regarding Claim 8, Banker discloses a method wherein the displayed control presents the predetermined search options in response to input received from the user (Fig. 7, 706A, Banker).

Regarding Claims 9, 16, and 19, Banker discloses a method wherein the displayed control presents
a user-defined search option (Fig. 4, 426, Banker).

Regarding Claim 10, Banker discloses a method wherein the input received from the user comprises a single action using the displayed control (Fig. 4, 100, Banker).

Regarding Claim 17, Banker discloses a method wherein the displayed control comprises a drop-down list box that the user can activate to present the plurality of predetermined drill down options (Fig. 4, 429, Banker).

Regarding Claim 20, Banker discloses a computer program product further comprising executable instructions for managing the data repository (Fig. 3, 306, Banker).

Regarding claim 23, Banker discloses a method further comprising prompting the user to reconfigure one of the plurality of drill down options so that the reconfigured one of the plurality, of drill down options presents and displays a different combination of a the predetermined drill down query, presented and displayed in the control or prompting the user or prompting the user to define a new drill down option for presentation in the control, the new

drill down option specifying both a new associated predetermined query to be performed on a data I repository and a new associated predetermined visual configuration for displaying a result of the predetermined query (Fig. 4, Banker).

Response to Arguments

Applicant's arguments with respect to claim 1-10, 15-23 have been considered but are moot in view of the new ground(s) of rejection.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is 571-272-4013. The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sana Al-Hashemi/
Primary Examiner, Art Unit 2164